

MICHAEL P. MALONEY

---

ATTORNEY AT LAW

<mailto:MPMALO@HOTMAIL.COM>.

December 19, 2012

Via Fax 216- 348-4037  
and email

Honorable John Russo  
Cuyahoga County Court of Common Pleas  
1200 Ontario Street, 17<sup>th</sup> Floor  
Cleveland, Ohio 44116

Re: State v. Castro  
Case No. 557475

---

Judge Russo:

I am writing to request an immediate conference with the court regarding the referenced matter. There appears to be a complete misunderstanding as to the role of attorney Jeff Hastings. The prosecutor's office has apparently been in communication with Mr. Hastings regarding disposition of Mr. Castro's criminal case. These discussions may have included arranging a proffer statement from Mr. Castro. If this has occurred, it is improper.

Mr. Hastings has not replaced Mr. Doumbas as counsel of record. I feel you were clear in your appointment. Mr. Hastings was to consult and advise Mr. Castro on the question of whether, in light of the allegations (now criminal charges) against Mr. Doumbas, Mr. Castro had concerns about Mr. Doumbas continuing as his counsel of record and appearing on Mr. Castro's behalf at sentencing. Assuming Mr. Castro had lost confidence, he could choose new counsel. Assuming Mr. Castro wished to continue with Mr. Doumbas, the court would decide, after the scheduled hearing, whether Mr. Doumbas should remain on the case.

Mr. Doumbas and I have other concerns I do not wish to raise in this letter. Please advise me of your availability to conference with the parties on these issues. I consider this request urgent.

Sincerely,

Michael P. Maloney

c:Michael O'Malley, Assistant Prosecuting Attorney  
DoumbasM.ltr.court.12-19-1